

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES—GENERAL

**Case No. CV 22-8439-MWF (PLAx)**

**Date: January 17, 2024**

Title: Philip Smith v. Ryan Compton et al.

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Present: The Honorable MICHAEL W. FITZGERALD, U.S. District Judge

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Deputy Clerk:

Rita Sanchez

Court Reporter:

Not Reported

Attorneys Present for Plaintiff:

None Present

Attorneys Present for Defendants:

None Present

**Proceedings (In Chambers): ORDER TO SHOW CAUSE**

On October 26, 2023, the Court granted Plaintiff's counsel's leave to withdraw as counsel (the "Withdrawal Order"). (Docket No. 83). The Withdrawal Order included a 45-day stay to permit Plaintiff Philip Smith to either secure new counsel or indicate his intent to proceed pro se. (*Id.* at 3).

On December 15, 2023, after receiving no response from Plaintiff, the Court filed an Order Re: Stay and Scheduling (the "Scheduling Order"). (Docket No. 84). The Scheduling Order directed the Clerk to update the docket to reflect that Plaintiff was proceeding pro se. The Scheduling Order further required the parties to meet and confer, and file a revised Joint Rule 26(f) Report with proposed new deadlines by no later than January 5, 2024.

On January 5, 2024, Defendants Noël Andrews, Ryan Compton, and Barbara Freund (collectively, "Defendants") filed Defendants' Revised Report (the "Report"). (Docket No. 85). The Report states that Plaintiff Philip Smith failed to respond to Defendants' request to meet and confer.

The Court **ORDERS** Plaintiff to show cause why (1) Plaintiff's claims in his Second Amended Complaint (Docket No. 46) should not be dismissed for failure to prosecute; and (2) his Answer to Counterclaim (Docket No. 70) should not be stricken. In response to this Order to Show Cause, the Court will accept Plaintiff's written response no later than **February 9, 2024**. Defendants may, but are not required to, file a Reply no later than **February 16, 2024**.

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No oral argument on this matter will be heard unless otherwise ordered by the Court. *See* Fed. R. Civ. P. 78; Local Rule 7-15. The Order will stand submitted upon the filing of the response to the Order to Show Cause.

IT IS SO ORDERED.

**PRO SE CLINIC:** Although Plaintiff is proceeding pro se, *i.e.*, without legal representation, Plaintiff nonetheless is required to comply with Court orders, the Local Rules, and the Federal Rules of Civil Procedure. *See* C.D. Cal. L.R. 83-2.2.3. The Local Rules are available on the Court’s website, <http://www.cacd.uscourts.gov/court-procedures/local-rules>.

The Court cannot provide advice to any party, including pro se litigants. There is a free “Pro Se Clinic” that can provide information and assistance about many aspects of civil litigation in this Court. The Court has information of importance to pro se litigants at the “People Without Lawyers” link, <http://prose.cacd.uscourts.gov/>.

The Court notes that a party to this lawsuit does not have a lawyer. Parties in court without a lawyer are called “*pro se* litigants.” These parties often face special challenges in federal court. Public Counsel runs a free Federal *Pro Se* Clinic where *pro se* litigants can get information and guidance. The Clinic is located at the Roybal Federal Building and Courthouse, 255 East Temple Street, Los Angeles, CA 90012 (note that the clinic may not be open for in-person appointments during the pandemic). *Pro se* litigants must call or submit an on-line application to request services as follows: on-line applications can be submitted at <http://prose.cacd.uscourts.gov/los-angeles>, or call (213) 385-2977, ext. 270.

The Court’s website home page is <http://www.cacd.uscourts.gov>.